

REMARKS

The Notice of Non-Compliant Amendment mailed October 6, 2006 states that claims 34-76 as identified in the Second Preliminary Amendment of November 17, 2005 are considered non-compliant because they are identified as “previously presented” instead of “new.”

It is respectfully submitted however, that claims 34-76 were first presented and identified as “new” claims in the First Preliminary Amendment of April 1, 2005. It is noted that the First Preliminary Amendment of April 1, 2005 was received by the USPTO and is contained within the image file wrapper of the present application.

Therefore, Applicant respectfully submits that claims 34-76 were properly identified as “previously presented” in the Second Preliminary Amendment of November 17, 2005 because they were originally presented in the First Preliminary Amendment, and thus the Second Preliminary Amendment of November 17, 2005 should be considered compliant and entered.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Terrell C. Birch (Reg. No. 19,382) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


Application No.: 10/529,880
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to Notice of Non-Compliant
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: November 2, 2006

Respectfully submitted,

By 
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